

ORDINANCE NO. 2009-09

AN ORDINANCE OF THE CITY OF SEDONA, ARIZONA, AMENDING CITY CODE SECTIONS 2-1-1 AND 2-2-1 TO PROVIDE FOR SELECTION OF THE MAYOR BY MEMBERS OF THE CITY COUNCIL; REPEALING THE DIRECT ELECTION PROCESS FOR FILLING THE SEAT OF MAYOR; FURTHER PROVIDING THAT THE PROVISIONS OF THIS ORDINANCE SHALL NOT BE EFFECTIVE UNLESS APPROVED BY THE VOTERS DURING THE 2010 ELECTIONS AND PROVIDING FOR A SAVINGS CLAUSE.

WHEREAS, A.R.S. § 9-271 and 9-272, provides that a mayor may be elected by and from among the members of the city council, and that members of the City Council are to hold staggered four-year terms of office, and,

WHEREAS, in October of 2002, in accordance with the option provided by A.R.S. § 9-272.01, the City Council amended the City Code Section 2-2-1 to provide for the direct election of Sedona's Mayor by the qualified electors of the City, and this measure was approved by the voters in 2004, and became effective in 2006, and

WHEREAS, prior to the election of 2006, the Mayor of Sedona was always selected by members of the City Council, and

WHEREAS, it is the desire of a majority of the current City Council to amend the City Code provisions contained in Section 2-2-1 that provide for the direct election of the City's Mayor, and to return to the process of selecting a mayor by and from among the members of the City Council every two years following an election:

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SEDONA, ARIZONA:

1. Section I. Amendment of City Code Section 2-1-1

Section 2-1-1 of the City Code is hereby amended to read as follows:

§2-1-1 ELECTED OFFICERS

A. The elected officers of the City shall be seven councilmembers, one of whom shall be designated mayor in accordance with Section 2-2-1. The mayor and councilmembers shall constitute the council and shall continue in office until assumption of duties of office by their duly elected successors.

B. The regular term of office for Council members shall be 4 years or until their successors are elected and qualified.

C. A candidate shall not run for more than 1 office at the same election.

2. Section II. Amendment of City Code Section 2-2-1

Section 2-2-1 of the City Code is hereby amended to read as follows:

§ 2-2-1 OFFICE OF MAYOR

- A. Beginning with the City Council election to be held in 2012, the Mayor of the City of Sedona shall no longer be directly elected by the qualified electors of the City. Instead, after each City Council election, at the Council meeting where new members assume office, the Mayor shall be selected from among the elected members of the City Council by a majority vote of the City Council. The selected Mayor will serve for two years until newly elected council members assume office after the next election. Unless reselected as Mayor, the council member serving as Mayor will reassume their position as a regular council member for the remainder of their four-year term.
- B. Beginning with the election to be held in 2012, the Council seat currently constituting that of Mayor shall become a regular City Council seat with a 4-year term that shall be filled by the vote of the qualified electors of the City.

3. Section III. Requirement of Voter Approval:

The provisions of this Ordinance shall not be effective until approved by a majority vote of qualified electors voting at the regular primary election to be held in the year 2010.

4. Section IV. Savings Clause

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof would be declared invalid or unconstitutional.

PASSED AND ADOPTED by the Mayor and City Council of the City of Sedona, Arizona
this 11th day of August, 2009

Rob Adams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney